IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

SUO MOTU CRIMINAL WRIT PETITION (PIL) NO.3 OF 2001

High Court of Judicature at Bombay
(on its own motion) Petitioner
vs.
State of Maharashtra Respondent

None for the petitioner.

Mrs.P.H.Kantharia, A.P.P. for the State.

CORAM : R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED : 1st February 2006

P.C.

We perused the enquiry report submitted by 1st Additional Principal Judge in respect of the case of suicide by Police Inspector Shri Iqbal Abdul Quadir Bargir. The report runs into typed foolscap 51 pages. In the report, Shri A.J.Dholakia observed thus:

> "65. To sum up, I am of the view that P.I.Bargir committed suicide leaving behind the note Ex. 7. He committed suicide because of the thought that an innocent person got convicted on the basis of false evidence collected by him allegedly at the instance of delinquent Nandkumar Chaugule. However, the evidence adduced before me does not go to indicate that the witnesses gave false deposition in the said sessions case. I have refrained from making any observations on the merits of the findings given in S.C.No.901-95 by Addl. Sessions Judge Smt.M.R.Bhatkar. It is only in the appeal which is pending against the said decision that truth or otherwise of the evidence adduced in the said case and merits or demerits of the decision given by; the learned trial Judge while convicting the

> said accused can be considered. It is only in the said appeal it can be ascertained whether the said evidence was false as alleged in the suicide note or it was genuine as observed in the said decision."

2. In view thereof, we are satisfied that nothing further is required to be done in the suo motu criminal P.I.L. and the same is disposed of accordingly.

(R. M. LODHA, J.)

(ANOOP V. MOHTA, J.)